

Exhibit P

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C. PERLMAN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
- - - - -
MONIQUE DA SILVA MOORE,)
MARYELLEN O'DONOHUE, LAURIE)
MAYERS, HEATHER PIERCE, and)
HEATHER PIERCE, individually and)
all others similarly situated,)
)
Plaintiffs,)
)
vs.) Index No.
) 11_CV-1279 (RJS)
PUBLICIS GROUPE SA and)
MSLGROUP,)
)
Defendants.)
- - - - -)

VIDEOTAPED
DEPOSITION OF CAROL PERLMAN
New York, New York
Wednesday, January 18, 2012

Reported by:
FRANCIS X. FREDERICK, CSR, RPR, RMR
JOB NO. 45161

1 C. PERLMAN

2 A. Did it have a name? Leadership
3 team. Executive team.

4 Q. So who was on that one?

5 A. So among the SVPs at the time that
6 I was there were Ellyn Caravetta, Catherine
7 Falcetti, Greg Tarmin. Becky Lauer. Later on
8 Christine Abbott.

9 I'm trying to remember all the
10 people.

11 There were a lot of people that
12 were there that left. So those were some of
13 the SVPs.

14 Oh, Daphne Hoyt.

15 Q. What was the function of that
16 leadership team or executive team that you're
17 describing right now?

18 A. Taking a look at the accounts.
19 Mostly financial. Were we on track. Were
20 there any -- was there anything that we could
21 share with other people. It was basically --
22 it was touching base on head count. It was
23 touching base on billability and hours. And
24 it was also a good opportunity for whomever,
25 whether it was Kelly at the time or Jeanine,

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2 remember. It was like three years ago. And
3 it was like three questions over the phone.
4 But I do remember it was in reference to the
5 Bauche & Lomb account that they had.

6 Q. Do you believe that there were men
7 at MSLGroup during your employment who were
8 doing the same job as you were doing but paid
9 more for it?

10 A. Would you rephrase that?

11 Q. Sure.

12 Do you believe that there were
13 men, male employees at MSLGroup during your
14 employment who were doing the same job as you
15 were but being paid more for that job?

16 A. I -- it is my belief that they
17 were paid more for doing the same job.

18 Q. Who are they?

19 A. While I was there, it would be
20 Andy Tarmin.

21 And when you say the same job, I
22 just want to be very clear, there are SVP
23 responsibilities and duties. And then there
24 are other things like I have crisis, somebody
25 else may have FDA.

1 C. PERLMAN

2 So for the same SVP
3 responsibilities which is managing accounts, I
4 would say yes. Andy Tannen. And then later
5 on Tom Vickery.

6 Q. Anyone else?

7 A. Of the men, I'm trying to
8 remember.

9 Not that I -- we didn't have a lot
10 of men.

11 Q. Why was that?

12 A. We got a lot of men.

13 I don't know why we didn't have a
14 lot of men. I think that it was just -- we
15 had very talented people and so the number
16 of -- and the number of men just happened to
17 not be great. Over time with the
18 reorganization that definitely shifted.

19 Q. What do you mean when you say
20 that?

21 A. After the reorg -- after the
22 reorganization, a -- Jim brought in a woman
23 named Jeanine O'Kane and things started to
24 change. And so we got a few men. We lost a
25 lot of good women.

1 C. PERLMAN

2 A. I could not -- I really couldn't
3 tell you because I don't know exactly what she
4 did. I did not know her well. Did not have
5 the opportunity to work with her.

6 Q. And what information do you have
7 about what Andy Tannen's position and
8 responsibilities were at the company?

9 MS. NURHUSSEIN: You can answer to
10 the extent your knowledge comes outside
11 of communications with counsel.

12 A. Okay. Andy had basic SVP
13 responsibilities. And Andy and I would work
14 together on occasion on issues and stuff like
15 that. But he handled accounts the same as the
16 rest of us. And he provided counsel which is
17 what an SVP should do.

18 Q. So you have a better -- withdrawn.
19 You have better information about
20 what Mr. Tannen's responsibilities were --

21 A. Yes.

22 Q. -- than do you about Ms.
23 O'Donahue?

24 A. Yes.

25 Q. And what is the basis of that

1 C. PERLMAN

2 better visibility into Mr. Tannen's
3 responsibilities?

4 A. I've worked with -- I've worked
5 with Andy on a couple of issues. I helped him
6 out on a couple of issues. And I know that he
7 performs the standard SVP duties that I do.

8 Q. Do you know whether he performs
9 any other duties?

10 A. I think that by virtue of his
11 accounts, you know, his -- he may be doing --
12 he may have different issues on his account
13 but we all have issues on our accounts.

14 Q. Do you know whether Mr. Tannen
15 performs any responsibilities beyond general
16 account management?

17 A. Not to my knowledge.

18 Q. Did you ever review his
19 performance evaluations?

20 A. No. I was not part of that
21 process.

22 Q. And did you ever ask Andy to give
23 you a complete summary of what his job duties
24 were?

25 A. Yeah, we talked about it.

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2 Q. Did you -- go ahead.

3 A. You know, we talked about what
4 kind of accounts he was on. And what some of
5 the issues were that he was facing on the
6 accounts. And I had a potential account as a
7 new business coming in and I asked him to join
8 me at the meeting. And he did. So we -- you
9 know, we helped each other where we could.

10 Q. Did you ever ask Mr. Tannen to
11 give you a complete summary of his job
12 responsibilities at MSLGroup?

13 A. No. It wasn't really necessary
14 because an SVP is an SVP. We all have basic
15 responsibilities.

16 Q. And do you know whether Mr. Tannen
17 used to be a practice leader at MSLGroup?

18 A. I have no idea. I've been there
19 four years. I think he -- I was there four
20 years. I think he was there a lot longer. So
21 what he did in his past I have no idea.

22 Q. You don't know about Mr. Tannen's
23 background prior to the time that you came to
24 MSLGroup?

25 A. Just on some of the accounts that

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2 Q. Besides what you've already
3 testified to, do you have any other
4 information about what Mr. Tannen's
5 responsibilities were at MSLGroup?

6 A. No. Not exact. I think he did --
7 he performed the same SVP duties. He managed
8 accounts just as we did. Just different types
9 of accounts.

10 Q. Were you responsible for a P&L at
11 MSLGroup?

12 A. A P&L?

13 MS. NURHUSSEIN: Objection, vague.

14 A. What do you mean by P&L?

15 Q. A profit and loss statement.

16 A. No, I know what it is. But I'm
17 used to it on a business perspective. What
18 you're saying is --

19 Q. Did you have responsibility at MSL
20 for managing the profit and loss of any
21 particular piece of MSL's --

22 A. Sure.

23 Q. And what piece were you
24 responsible for the --

25 A. Unity Walk.

1 C. PERLMAN

2 Q. Just a second.

3 What piece were you responsible
4 for the P&L on?

5 A. All the facets of my business.
6 Unity Walk. Reception. Clinical. FDA
7 interaction.

8 Q. When you say reception, what do
9 you mean?

10 A. CEO reception which is held prior
11 to the Unity Walk.

12 Q. So this is for Solvay Abbott?

13 A. Correct.

14 Q. And when you say clinical, what do
15 you mean?

16 A. They needed to jump -- well, they
17 needed to jump start their clinical in Phase
18 III and they -- and we helped them with
19 recruitment tactics. So that was a separate
20 project.

21 Q. So you're saying you had P&L
22 responsibility for the Solvay Abbott projects?

23 A. Yes.

24 Q. Did you have P&L responsibility
25 for anything else at MSLGroup?

1 C. PERLMAN

2 A. We really have -- I mean, you
3 define it as P&L. I'm from marketing so P&L
4 means something entirely different to me. But
5 were we responsible for the revenue and
6 expenses, the out-of-pocket, and stuff like
7 that, yes. For every project that we have we
8 have to do that. Whether that's that the
9 definition of P&L for you, yes.

10 Q. So you said as somebody who comes
11 from marketing P&L means something completely
12 different. What does it mean to you?

13 A. Well, P&L is, you know, profit and
14 loss. It's got the revenue, it's got the
15 gross margin. It's got, you know, all the
16 incidentals. Admin costs.

17 Q. So how is that completely
18 different from the way P&L was used in terms
19 of your responsibility at MSLGroup?

20 A. Well, we didn't have something
21 like gross margin. What we did have is we
22 would take an expense, we would define
23 basically -- let me take the Unity Walk, for
24 example. Maybe that's an easier one.

25 Have Unity Walk. What is the cost

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2 going to be for the out-of-pocket which is the
3 tent and the tables and the -- you know, all
4 the collateral materials versus our time. And
5 the time that we spend there is -- that hits
6 the fee line. So we have fee and we have
7 expenses.

8 And the fee -- the expenses really
9 don't hit our bottom line. It's separate.
10 What's important to us is the fee.

11 So we have two -- for everything
12 we do we have the fee portion and the expense
13 portion. Out-of-pocket.

14 Q. And you had responsibility for
15 those -- withdrawn.

16 You had responsible for managing
17 those elements of the Solvay Abbott business?

18 A. Correct.

19 Q. Did anyone share that
20 responsibility with you?

21 A. The whole team. We put it
22 together.

23 Q. Did you have responsibility for
24 any other P&L or revenues and expenses other
25 than Solvay Abbott projects?

1 C. PERLMAN

2 A. Yeah. Whatever account I was on,
3 whether it was Uroxatral, it would be the same
4 thing. But it is something that we build
5 together because it's -- you know, you then
6 have the fee but you have to figure out how
7 you're going to bill it out. How many hours
8 you're going to have an account assisted,
9 account to, how many hours for the VP, how
10 many hours for the SVP. It's very -- it's
11 complicated. But we do it together.

12 Q. When you say "we do it together,"
13 who's the "we"?

14 A. My team. I assemble my team and
15 we make sure we check every number that we are
16 providing, you know, the most effective
17 costing that we look at last year and see what
18 happened last year, how do we improve upon it.

19 Q. Who was on your team at MSLGroup?

20 A. Chris Pearsall, Tara Horan, Jess
21 Morrison. Nicolle Risdall. Not all at the
22 same time. They were all on the team at one
23 time.

24 Q. Anyone else?

25 A. Courtney Dubois started with me on

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2 levels of who was the best creator, who was
3 the best this, who brought in a new piece of
4 business. That's what this was. That's why
5 it's a spot bonus. And this was, as I recall,
6 when I brought in the Solvay account.

7 Q. And it was part of your job to
8 bring in new business?

9 A. It was part of our job at the time
10 to identify leads for new business.

11 Q. So whose job was it to bring in
12 new business?

13 A. Pretty much Anita Bose. But the
14 responsibility lies with everyone who has, you
15 know, a vested interest in the company and
16 want to see it succeed that if we have a lead
17 we follow it.

18 Q. So do you have any reason to
19 believe that MSLGroup demonstrated favoritism
20 in the awards of excellence?

21 A. No.

22 MS. CHAVEY: Can you mark this,
23 please.

24 (Deposition Exhibit 82, Personnel
25 Action Notice bearing production number

1 C. PERLMAN

2 that we were in the elevator and it was a very
3 weird experience. And fresh I guess on her
4 mind.

5 Q. Okay. I want to shift back to
6 David Chamberlain who you were discussing
7 earlier. Do you have personal knowledge as to
8 what David Chamberlain's duties are at MSL?

9 A. Yeah. I think he does -- he does
10 the standard SVP responsibilities on his
11 accounts. But the -- what he does, how he
12 services his accounts is he handles the issues
13 and potential crisis. But he does that for
14 corporate. So he does it for financial --
15 different range of clients. What he doesn't
16 have is pharmaceutical experience.

17 So there are times where he would
18 come to me and ask my counsel on
19 pharmaceutical. Which is what I was doing.

20 Q. Um-hum.

21 A. Prior to them officially starting
22 a function. As you could see from my bio.

23 Q. Okay. And going back you said,
24 you know, that he had the standard SVP duties
25 as well as the issues and crisis work. Are

1 C. PERLMAN

2 those the same duties you performed during
3 your performance at MSL?

4 A. Yeah. They're basic duties.
5 Strategic counsel. Budgeting. You know,
6 making sure people were billable. Planning.
7 Making sure that the plans are as creative as
8 possible and, you know, the things that SVPs
9 are responsible for.

10 Q. And what's your understanding of
11 David Chamberlain's qualifications for the SVP
12 position that he ended up filling?

13 A. My impression of his -- I'm sorry?

14 Q. Yeah. What's your understanding
15 of his qualifications, Dave Chamberlain's
16 qualifications?

17 A. Not very impressive. Not very
18 impressive.

19 Q. And on what do you base that?

20 A. On the extent of his crisis
21 experience. On the range of crisis that he
22 worked on. He's not seasoned.

23 Q. Do you have a sense of --
24 withdrawn.

25 Do you know how old David